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Fourth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. The present report is prepared pursuant to Security Council resolution 1528 (2004) of 27 February 2004, by which the Council established the United Nations Operation in Côte d'Ivoire (UNOCI) with a mandate for one year with effect from 4 April 2004. This report covers major developments since my report of 9 December 2004 (S/2004/962) and 10 January 2005 (S/2004/962/Add.1) and includes an update on progress made in the peace process, as requested by the Council in paragraph 18 of its resolution 1572 (2004) of 15 November 2004. Reference is also made to the fortnightly reports, which have been submitted to the Security Council, prepared by the Monitoring Group established under the Accra III Agreement and composed of the representatives in Côte d'Ivoire of the United Nations, the African Union (AU) and the Economic Community of West African States (ECOWAS).

II. The peace process

The African Union mediation

2. During the period under review, much of the focus on the peace process has been on the efforts of President Thabo Mbeki of South Africa, who is leading an AU mediation initiative that began with his visit to Abidjan on 9 November 2004, undertaken in close cooperation with the United Nations and ECOWAS. Leaders from the subregion also continued their good offices in support of the reactivation of the peace process.

3. Under the auspices of the AU mediation, several rounds of consultations with the Ivorian parties, including President Laurent Gbagbo, Prime Minister Seydou Diarra, Secretary-General of the Forces nouvelles, Guillaume Soro, senior Government officials and opposition party leaders, have taken place in Côte d'Ivoire and Pretoria, focusing primarily on how to advance the plan of action agreed upon by the Ivorian parties during President Mbeki's visit to Côte d'Ivoire in December 2004. The AU Peace and Security Council meeting at Libreville on 10 January 2005, the ECOWAS Summit at Accra on 19 January, and the AU Summit at Abuja on 30 and 31 January 2005, encouraged President Mbeki to pursue his mediation initiative. I attended the AU Summit in Abuja, where I had the opportunity to discuss the Ivorian crisis with President Mbeki and other regional leaders. It was

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agreed that every effort must be made to provide concerted support to the plan of action proposed by President Mbeki.

4. The AU mediation mission has focused on a number of interrelated issues, namely, creating a climate of peace, the enactment of the legislative reforms envisaged in the Linas-Marcoussis Agreement, ensuring the functioning of the Government of National Reconciliation, the commencement of the disarmament, demobilization and reintegration process and facilitating the redeployment of State administration nationwide.

Creating a climate conducive to peace

5. Initiatives to promote a climate conducive to peace have focused on actions to stop the use of the media to incite hatred and violence, preparations for the disarmament and dismantling of militias, and prevention of the disruptive activities of the aggressive groups of "young patriots". UNOCI has supported follow-up actions towards these objectives. Its military and civilian police components have undertaken joint patrols and other activities with the Ivorian security forces to help improve general security for the population, both in Abidjan and in the zone of confidence. Through its public information outreach, and especially through the UNOCI FM radio station, the Mission has worked intensively to promote a culture of peace and to counter the local media inciting hatred and violence.

6. President Gbagbo's decision in late December 2004 to ban street marches and demonstrations in Abidjan for a three-month period helped calm the situation in the city. In the wake such events often target civilians and disrupted commercial life in Abidjan and elsewhere. The Government's decision to extend this ban until 31 June 2005 is therefore a welcome step.

Functioning of the Government of National Reconciliation

7. A key priority in the AU plan of action is the restoration of the effective functioning of the Government of National Reconciliation. The Forces nouvelles' ministers have not participated in meetings of the Government since the November 2004 crisis (see S/2004/962, paras. 14-21), citing concerns for their personal security. During discussions with the Chief Africa mediation team and representatives of the UNOCI and Licorne forces, the Forces nouvelles indicated their wish to be allowed to bring their own state protection units to Abidjan, in addition to the protection provided by the UNOCI special protection group, Sous-Groupement de Sécurité. Meanwhile, Prime Minister Diarra is also endeavouring to address this issue. Furthermore, the effective functioning of the Government has continued to be affected by a lack of clarity regarding the delegation of powers from the President to the Prime Minister and the ministers.

Legislative programme

8. Before the completion of its extraordinary session in late December 2004, the National Assembly adopted most of the major legislative reforms envisaged in the Linas-Marcoussis Agreement which were subsequently promulgated. In that context, the adoption in December by the National Assembly of the amendment to article 35 of the Constitution relating to the eligibility of candidates for the presidency was a significant step forward. However, President Gbagbo has repeatedly stated his intention to submit the proposed constitutional amendment to a

national referendum. This position has been challenged by the opposition parties, which have called upon the President instead to use his discretionary powers under the Constitution to amend article 35.

9. The G-7, a group of opposition political parties, has further claimed that some of the legislation is not in conformity with the letter and spirit of the Linas-Marcoussis Agreement and has called for the revision of those laws. The Monitoring Committee, established under the Linas-Marcoussis Agreement, and the tripartite Monitoring Group have reviewed the legislation on the Independent Electoral Commission and the nationality laws from the perspective of their conformity with the letter and spirit of the Linas-Marcoussis Agreement. Their views that both pieces of legislation do not conform to the Agreement in all aspects were conveyed to President Gbagbo and the Speaker of the National Assembly, Mamadou Coulibaly. Under the auspices of the AU mediation, a team of legal experts has also reviewed the legislation which was adopted by the National Assembly and envisaged in the Linas-Marcoussis Agreement, and submitted their report to the Government of Côte d'Ivoire on 14 March 2005.

Disarmament, demobilization and reintegration

10. In the meantime, efforts have continued to help ensure that the disarmament, demobilization and reintegration process of the regular forces and other armed groups and militias gets under way as soon as possible. UNOCI, working closely with the AU mediation team, has taken part in efforts aimed at resolving the security concerns of the Forces nouvelles and obtaining a resumption of dialogue in preparation for commencement of the disarmament, demobilization and reintegration process. The Licorne force, the National Commission for Disarmament, Demobilization and Reintegration and the World Bank have also participated in this initiative.

11. Following a meeting on 18 January with Forces nouvelles Secretary-General Soro, Prime Minister Diarra agreed to revise the composition and structure of the National Commission for Disarmament, Demobilization and Reintegration to assure that there is balanced representation in the Commission. Earlier in 2005, the Forces nouvelles and the National Armed Forces of Côte d'Ivoire (FANCI) had resumed cooperation with the Commission and the Forces nouvelles authorized the Commission to have access to the disarmament and cantonment sites in areas under their control to facilitate their rehabilitation. While the Forces nouvelles had also agreed to participate in a workshop to finalize and formalize the national disarmament, demobilization and reintegration plan, which would include the restructuring of FANCI, the attack on 28 February by militias on a Forces nouvelles checkpoint at Logouale (described in para. 21 below) resulted in the Forces nouvelles withdrawing its cooperation on this important issue.

12. The National Commission for Disarmament, Demobilization and Reintegration recently announced that there are an estimated 10,000 militia members in Côte d'Ivoire, although this number is very likely to be underestimated and could increase owing to the recent important mobilization and recruitment of "young patriots" in the south. The principal militia in the western region, known as the Front de Liberation du Grand Ouest (FLGO), is made up of an estimated 7,000 members and is to be included in the disarmament, demobilization and reintegration process.

13. However, additional steps need to be undertaken before the disarmament can commence, including the resumption of Forces nouvelles collaboration, the rehabilitation of the disarmament and cantonment facilities and the regrouping of forces as envisaged in the joint plan of action signed by the parties in Yamoussoukro on 9 January 2004. Furthermore, the issue of ensuring maintenance of law and order and public security in the Forces nouvelles-controlled areas during the disarmament, demobilization and reintegration process has yet to be resolved.

Redeployment of State administration

14. A key task entrusted to UNOCI under Security Council resolution 1528 (2004) is to facilitate, in cooperation with ECOWAS and other international partners, the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d'Ivoire. According to the Comité national de pilotage du redéploiement de l'administration, which is responsible for the restoration of State administration, an estimated 23,000 civil servants left their posts in various parts of the country following the September 2002 crisis. So far, almost all the 3,845 civil servants formerly deployed in the western region have returned to their posts, while only 6,000 out of 19,155 have been redeployed to the northern region. The absence of civil servants remains a major contributing factor to the continued deterioration in the humanitarian situation, particularly in the north.

15. UNOCI continues to provide support for the activities of the Comité national de pilotage du redéploiement de l'administration, which has estimated that approximately $506 million would be required to facilitate the return of civil servants and other Government personnel to their respective areas of responsibility. Belgium, the European Union, France and Japan have pledged some support, but additional resources will be required to facilitate an early implementation of the process as soon as the disarmament and demobilization process is under way and the security situation improves.

III. Elections

16. The AU mediation mission, together with the ongoing work of UNOCI, ECOWAS and other partners, aims at creating the political and security conditions that will permit the conduct of free and fair elections as part of the overall solution to the Ivorian crisis.

17. During the reporting period, Prime Minister Diarra has sought to reactivate the national identification exercise as part of a series of actions aimed at moving the elections preparations forward. Nevertheless, in addition to the legislative reforms envisaged in the Linas-Marcoussis Agreement that still need to be adopted, work on a significant number of technical tasks, such as updating the electoral lists, remain at the initial planning phase. Hence, the time remaining for the proper organization of the elections is rapidly running out. The continuing delays are increasingly putting in jeopardy the holding of the elections as scheduled in October.

18. The Independent Electoral Commission, which is the principal national body responsible for organizing and managing the elections, has become the centre of a partisan political debate, with some opposition parties expressing their lack of confidence in it. On 8 February, the Commission met to adopt its programme of work, but the G-7 opposition parties refused to take their seats on the Commission

and rejected the legislation revising the Commission's structure and composition as not in conformity with the Linas-Marcoussis Agreement.

19. On 10 February, in an attempt to revise the law establishing the Independent Electoral Commission, the opposition parties filed a complaint with a court in Abidjan. While the court ordered that the Commission's activities be suspended pending an evaluation of the merit of the case, the Commission continues to operate, albeit with limited participation. The Democratic Party of Côte d'Ivoire (PDCI), the Rally of the Republicans (RDR), the Union for Democracy and Peace in Côte d'Ivoire (UDPCI) and the Movement of Forces of the Future (MFA), in a letter to me dated 18 February 2005, expressed their wish for the United Nations to organize the Ivorian elections. It should be noted that the degree of mistrust between the parties, coupled with the controversies surrounding the Commission, would require that any enhancement of the United Nations role in the electoral process be carefully considered and would need to be based on a request agreed upon by all the Ivorian parties.

IV. Restoring security

20. Since the November 2004 crisis, the security situation in Côte d'Ivoire has remained very tense, with a marked increase in criminality nationwide, especially in Abidjan and the zone of confidence.

Logoualé incident

21. In the early morning of 28 February a serious violation of the ceasefire took place when more than 100 armed elements, allegedly belonging to the Mouvement Ivoirien de Libération de l'Ouest de la Côte d'Ivoire (MILOCI), attacked a Forces nouvelles checkpoint in Logoualé, north of Bangolo in the zone of confidence. UNOCI troops rapidly deployed to the area and regained control of the town. During the confrontation, a Bangladeshi peacekeeper was seriously injured. UNOCI apprehended and disarmed some 87 armed "youths", who were handed over to the local authorities in Guiglo on 3 March, but all were released the following day. On 1 March, some 500 additional "youths" gathered around Bangolo, and the Forces nouvelles announced that it would be reinforcing its positions in the area. UNOCI has redeployed additional troops to the area, and has managed to bring the situation under control. The quick reaction force provided by the Licorne force was activated and later deployed to reinforce the UNOCI units present in the area. The attack was not condemned by President Gbagbo. It led to a significant increase in tensions, with the Forces nouvelles reinforcing their defensive positions.

22. Prior to that attack, both FANCI and the Forces nouvelles had violated the zone of confidence on several occasions. FANCI established temporary positions within the zone and "uncontrolled" elements of both the Forces nouvelles and FANCI engaged in looting and extortion inside and in areas adjacent to the zone. UNOCI and Licorne forces referred reported cases of criminality to the authorities on both sides of the zone. Violent incidents between ethnic groups, sometimes involving armed elements, have also occurred in the western part of the zone, mainly between the Guéré, on one side, and Dozos and persons of Burkinabé descent, on the other. In a bid to contain this dangerous and unpredictable situation in the zone, UNOCI has organized reconciliation meetings between the two groups.

Pro-Government forces operating in the west include militias and so-called "patriotic youth organizations" (both armed and closely linked to FANCI) and the Dozos, who are armed with traditional hunting weapons as well as automatic weapons.

23. In an apparent effort to enhance its operational capabilities, the Forces nouvelles recently restructured its command and control structure, primarily through reassigning some of its sector and zone commanders and increasing its sectors from 6 to 11.

Status of the UNOCI force

24. The present force level is 6,017 against the authorized strength of 6,240. The major shortfall is in the helicopter unit, for which a troop contributor is actively being sought. Therefore, UNOCI aviation support currently lacks the flexibility of dedicated military assets, critical for movement and timely employment of reserves, patrolling of the borders and implementation of the enhanced mandate of monitoring the arms embargo, as well as for medical evacuation of injured United Nations troops. In a recent case, a Bangladeshi soldier injured during the attack at Lougoualé (see para. 21 above) could not be evacuated by United Nations means.

25. Maintaining stability in the increasingly fragile security environment has remained a major challenge for the Mission. The capacity of both UNOCI and the Licorne forces was exceeded during the November crisis. In my third report on UNOCI (S/2004/962), I recommended the emergency deployment of an additional 1,226 troops, which would allow UNOCI to deploy troops in Abidjan and elsewhere in the south, restore its capability in the zone of confidence as well as institute a minimum reserve as a first level of response. This would also enable the Mission to provide adequate security for United Nations personnel and facilities, and mitigate some UNOCI vulnerabilities. The need for these reinforcements has been further underscored by the deteriorating security situation, in particular in the zone of confidence, and requires the urgent attention and support of the Security Council.

26. Pending such reinforcements, in the prevailing security situation and with the current discrepancy between the mandated tasks and resources of UNOCI, the Mission has had to reassess its operational priorities in the following order:

(a) Ensure the security of United Nations personnel, equipment and installations;

(b) Monitor the ceasefire and movement of armed groups and prevent hostile actions, in particular within the zone of confidence;

(c) Assist the disarmament, demobilization and reintegration process;

(d) Monitor the implementation of the arms embargo.

Military operational situation

27. The two infantry companies, from Bangladesh and Ghana, which were redeployed from the zone of confidence to Abidjan during the November 2004 crisis as a temporary measure, continued to operate in Abidjan, reinforcing the small Togolese contingent. Given the continuing volatile security situation, prospects of redeploying these companies to their original areas of responsibility remain dim, leaving UNOCI capacity significantly weakened in the zone of confidence.

28. Nevertheless, UNOCI troops continued to carry out their mandated operational activities throughout the country with a particular focus on the zone of confidence, monitoring the ceasefire as well as the activities of the armed groups. UNOCI also carried out activities to restore trust and liaison between FANCI and the Forces nouvelles, with whom they also conducted joint patrols.

29. During the reporting period, the Licorne force adjusted its deployment by moving one battle group of approximately 1,200 troops to Abidjan and amending the operational boundaries of the remaining two, located in Man and Bouaké, along the lines of UNOCI sectors. As a result, cooperation between the two forces has been strengthened. Frequent joint exercises with the quick reaction force were undertaken.

30. Although initially expected to provide security only for the Forces nouvelles ministers in Abidjan, the tasks of the Sous-Groupement de Sécurité have increased considerably. After most Forces nouvelles ministers withdrew to Bouaké after the November crisis, the Sous-Groupement de Sécurité has provided — at the request of the ministers — security for other opposition ministers as well as other members of the Government and signatories of the Linas-Marcoussis Agreement. This has left the United Nations protection elements severely overstretched.

Arms embargo

31. The adoption of Security Council resolution 1584 (2005) of 1 February 2005 on the implementation of the arms embargo resulted in negative attitudes among many supporters of the Government towards the UNOCI and Licorne forces. In accordance with the resolution, UNOCI has set up a mechanism for monitoring the arms embargo. Within existing resources, the Mission has established a small team to collect and analyse relevant information, although it currently lacks personnel with the requisite technical expertise. UNOCI has also written to the Ivorian parties encouraging them to implement the resolution faithfully and to submit lists of their armaments by 17 March.

32. As the monitoring tasks entrusted to UNOCI are to be implemented, according to the terms of resolution 1584 (2005), within the forces' capacity and without prejudice to the mandate set out in resolution 1528 (2004), the Mission's monitoring role will be limited primarily to the collection and analysis of information and to random inspections by small teams of military observers and civilian police officers, supported, if required, by detachments of the UNOCI and Licorne forces. Such teams have been established and inspections are expected to begin shortly. UNOCI will prepare regular reports on embargo-related activities to be shared with the Group of Experts and the Security Council Committee established pursuant to resolution 1572 (2004).

33. In its resolution 1584 (2005), the Security Council requested the Licorne forces to provide, as appropriate, security assistance to UNOCI in carrying out its tasks. UNOCI and Licorne are cooperating closely regarding security for and extraction of the inspection teams, should they encounter threats. The available air assets of both UNOCI and Licorne are being used for monitoring the borders, and measures are being considered for the possible collection and disposal of illegal arms found in contravention of the embargo.

V. Re-establishing the rule of law and protecting human rights

Civilian policing

34. The activities of the UNOCI civilian police component were initially focused on the establishment of a training programme for the Ivorian National Police and the Gendarmerie, as well as on the provision of technical assistance for the reform and restructuring of these institutions. Training modules for courses in the maintenance of public law and order, human rights, community policing and criminal investigations have been completed. However, the civilian police has been unable to fulfil the core elements of its mandate, namely to assist in the restoration of a civilian policing presence throughout Côte d'Ivoire and to advise on the restructuring of the internal security services, owing to the prevailing political stalemate.

35. The Linas-Marcoussis Agreement provided for the restructuring of the Ivorian National Police and the Gendarmerie, but the Government of National Reconciliation has yet to adopt a plan for this purpose. Furthermore, the Ivorian parties have yet to reach agreement on the redeployment of police officers throughout the country. Despite the lack of a restructuring plan, a large recruitment of police and gendarmerie cadets has continued in Government-controlled areas. Furthermore, the Forces nouvelles inaugurated a Police Academy in Bouaké on 10 February 2005, where they intend to train a first group of 600 police officers recruited in the areas under their control.

36. Following the violent demonstrations in Abidjan in November 2004, the focus of the UNOCI civilian police shifted towards contributing to the enhancement of the general security situation in Abidjan and improving public confidence in the Ivorian law enforcement institutions through community policing activities in key neighbourhoods in Abidjan and support for security arrangements at the Houphouët-Boigny International Airport. UNOCI civilian police also contribute to security arrangements in the zone of confidence.

37. UNOCI, including its civilian police and military components, and FANCI, the Ivorian National Police and the Gendarmerie started joint patrols on 22 December 2004, operating from Bouaké, Daloa, Yamoussoukro and Bondoukou. While it should be recalled that the Ivorian authorities are ultimately responsible for security in Abidjan, these patrols have contributed to a general decrease of insecurity in the areas where they have deployed. The establishment of a common security coordination centre comprising senior-level representatives from all entities, including the Ivorian National Police and the Gendarmerie as well as Licorne, discharging security-related tasks in the city, is being considered to coordinate the activities of this security system. The centre would operate 24 hours a day.

38. UNOCI civilian police will continue its liaison with and advise the National Police and the Gendarmerie in support of security arrangements in Abidjan, in particular the authorities' efforts to address illegal activities, including rampant racketeering in the city.

39. As of 1 March, the UNOCI civilian police component stood at 218 officers out of an authorized strength of 350 personnel. These officers are deployed in Abidjan, Daloa, San-Pédro, Man, Bouaké, Yamoussoukro, Bondoukou and Korhogo.

Rule of law

40. The administration of justice in the south is directly impacted by the lack of a functioning justice system in the Forces nouvelles-controlled areas in the north. At present, the division of the country effectively splits the geographical jurisdiction of some courts of first instance and of appeal that, although physically based in the north, should also cover areas in the Government-controlled parts in the western and central regions of the country. Hence, these areas currently have no access to any judicial process.

41. This situation is further aggravated by problems that existed before the September 2002 crisis, such as a lack of independence of the judiciary from political forces, corruption and lack of will and processes to address serious human rights violations. One of the main areas of concern of the Mission's rule of law component is the monitoring of court cases in the Government-controlled areas involving human rights violations, impunity of perpetrators and acts of intimidation towards the judiciary. Therefore, the Mission is establishing a programme to monitor and report on judicial processes for both civilian and criminal matters.

42. In the Forces nouvelles-controlled area, the judicial system has completely collapsed. During the reporting period, none of the judges, prosecutors, lawyers or court staff who fled to the south at the beginning of the September 2002 crisis returned to their functions in the north. The Ministry of Justice does not have a plan for the redeployment of judicial officials. In the meantime, the Forces nouvelles have put in place a parallel system with temporary judicial officers who work on a voluntary basis and are nominated by the military zone commander to prosecute and bring to trial cases in their area. In some areas, the judicial officers have the additional role of Préfet de Police and, thus, one person carries out the three functions of prosecutor, investigative judge and jury. This system clearly lacks any legal basis, as it allows for a total absence of impartiality and abuse of power and is a serious violation of the rights of the individuals subjected to the system, as detentions, sentences or judgements rendered cannot be considered legally binding.

Judicial vacuum in the zone of confidence

43. As a transitional measure, UNOCI proposed to the Government the establishment of mobile courts which could hear criminal cases involving deprivation of liberty and deal with other pressing matters of justice. However, there has been no active follow-up and a major effort will be required to facilitate the re-establishment of functional police, judicial and penitentiary services in the north. Of particular concern is the vacuum of judicial authority in the zone of confidence, which, although protected by the UNOCI and Licorne forces, is without rule of law institutions or police presence, allowing criminal groups to roam freely and contribute to the continued instability and insecurity in the zone.

44. Before November 2004, the UNOCI and Licorne forces, the UNOCI civilian police component and local joint patrols working from the Bangolo mixed brigade handed over to the national authorities individuals who were caught committing serious crimes in the zone of confidence. This process derived from the UNOCI mandate to protect civilians under imminent threat and its supporting role for re-establishing the rule of law throughout Côte d'Ivoire. However, after the November crisis, this collaboration ceased. Although the UNOCI and Licorne forces currently monitor and respond to intrusions from armed personnel in the zone of confidence,

they do not have the required expertise for what could be characterized as typical policing tasks. In addition, the UNOCI and Licorne forces are not mandated, trained or equipped to conduct criminal investigations.

45. It will be necessary to clarify the roles of all forces operating in the zone of confidence and to find a legal framework, including standard operating procedures on apprehension and a modus operandi for the UNOCI and Licorne forces, UNOCI civilian police, the National Police and the Gendarmerie, prosecutors and courts. In the meantime, UNOCI civilian police advisers have been deployed to assist the military in their mandated task to protect civilians under imminent threat in the zone of confidence.

Human rights

46. In Côte d'Ivoire, a climate of impunity for human rights violations exists nationwide and the severely compromised administration of justice allows the perpetrators — including military and law enforcement personnel, the various militias and unidentified armed groups — to operate freely. Ethnic and inter-communal tensions are exacerbated by media campaigns against segments of the population.

47. During the reporting period, UNOCI received requests for evacuation from Côte d'Ivoire from 180 people who claimed to have been constantly harassed, threatened and abused by the Ivorian gendarmes and other members of the Ivorian defence and security forces. As a result of fighting in the west, some 17,000 people, including Ivorian citizens and Liberian refugees in Ben Houyien, moved into the border areas of Liberia and Guinea.

48. In this difficult environment, UNOCI has endeavoured to carry out its mandate of contributing to the promotion and protection of human rights and ending impunity for human rights violations in Côte d'Ivoire. To that end, UNOCI has continued to conduct investigations into most of the human rights violations that were brought to its attention, often in cooperation with the UNOCI civilian police component. It has engaged in dialogue with national and local political, administrative and military authorities in the areas controlled by the Government and Forces nouvelles to discuss the results of its investigations with a view to ending violations and holding perpetrators accountable.

49. UNOCI has also developed a programme to strengthen human rights protection based on its evaluation of the level of human rights awareness in the general population and of the institutional and operational capacities of governmental authorities and civil society organizations in areas controlled by both the Government and the Forces nouvelles to promote and protect human rights effectively.

50. In addition to the deployment of human rights officers in Bouaké, Abidjan, Daloa and Duékoué, UNOCI is considering further deployments of officers to Korhogo, Bouna, Odienné and San-Pédro to assure a more effective human rights presence on the ground. This wider deployment is expected to reinforce the perception of UNOCI's objectivity and impartiality vis-à-vis the Ivorian parties in implementing its human rights mandate. Such a perception is critical to the Mission's position as a primary source of the information needed by the various international institutions, including the Security Council Committee established

pursuant to resolution 1572 (2004), in their efforts to identify perpetrators responsible for serious human rights violations in Côte d'Ivoire.

51. On 23 December 2004, the report of the International Commission of Inquiry into allegations of serious violations of human rights and international humanitarian law committed in Côte d'Ivoire between 19 September 2002 and October 2004 was transmitted to the Security Council. However, a draft version of the report was leaked to the media before the final version was provided to the Council. Subsequently, some names, which allegedly appear on the confidential list of perpetrators of serious human rights violations, were also leaked to the media. This created serious difficulties for UNOCI because the Mission was erroneously perceived by many as having produced a report that was actually the work of an independent commission of inquiry. That perception led to the hardening of attitudes towards UNOCI among both Government and Forces nouvelles officials and their supporters.

VI. Promoting peace and combating media inciting hatred and violence

52. Following the adoption of Security Council resolution 1572 (2004), in which the Council demanded that the Ivorian authorities stop all radio and television broadcasts inciting hatred, intolerance and violence, the use of virulent language abated as did most manifestations of xenophobic sentiments. There was a notable improvement in January and early February 2005, in particular, following the adoption of resolution 1584 (2005). However, during recent weeks an increase in such language has again been noted and is of great concern.

53. On 6 December 2004, the National Assembly adopted a new law on the press, and adopted another on 14 December on audio-visual communication. Furthermore, a presidential decree was issued on 24 December changing the status of the Ivorian Radio and Television into a State-owned company. The adoption of these laws governing the Ivorian media, which increased restrictions, led to a debate on the neutrality of State-run media and freedom of the press, particularly in terms of their conformity with the spirit of the Linas-Marcoussis Agreement.

54. UNOCI has revised its communication strategy to address the widespread public misperceptions regarding its role and the need to change the attitudes of the Ivorian population and to promote a culture of peace in a highly politicized environment. The Mission has also intensified its monitoring of the print and audio-visual media and, on the basis of its analysis, broadened its communication strategy to include a campaign focused on allaying disinformation, xenophobic messages and other media-orchestrated actions likely to incite violence or hatred. The Mission reinforced its messages on human rights protection, as well as its sensitization efforts on the dangers of violence, revenge and conflict. To that effect, and in an attempt to correct distortions by partisan media, UNOCI set up a news desk to collect, collate and process news items on developments across the country that can be shared with the national and international media.

55. The UNOCI FM radio station, based in Abidjan, also started broadcasting in Bouaké in December 2004 and in Daloa in January 2005. This has significantly boosted the reach of the Mission's transmissions and increased the audience to well

over 4 million. The radio continues to provide neutral and impartial information, regular news bulletins, information from humanitarian agencies and messages of peace and dialogue, including from Ivorian civil society and religious leaders. It is planned that transmitters will be erected in a further seven locations and that broadcasts in local languages will begin in the near future. Radio reporters also regularly cover news events throughout the country. Unfortunately, the station's role and independence to broadcast on an FM frequency has become the subject of a dispute with the Ivorian Radio and Television. Despite a signed agreement between UNOCI and the Ivorian Radio and Television, the National Commission on Audiovisual Communication is seeking to impose new rules that are not in line with the status-of-forces agreement and would seriously compromise the Mission's ability to counter media inciting hatred and violence.

56. Local radio stations have shown great interest in collaborating with UNOCI FM and broadcasting its programmes and airing their productions on UNOCI FM. In that context, contacts have been initiated and a partnership project is currently being developed.

VII. Humanitarian challenges and economic and social perspectives

Humanitarian situation

57. With the November 2004 crisis, the already fragile humanitarian situation in Côte d'Ivoire deepened, especially in the education, health, water and sanitation sectors. The redeployment of the civil service and restoration of basic social services, particularly health and education, to the north and west continues to be one of the main elements of the humanitarian strategy. Humanitarian access continues to be a challenge in the west, and protection issues remain a serious concern, owing to the continuing culture of impunity in the Government-controlled areas and the lack of a judicial system in the north.

58. In the education sector, an estimated 700,000 children have been out of school since the beginning of the crisis in September 2002, also as a result of displacement and increased poverty, according to the United Nations Children's Fund (UNICEF). The joint efforts during 2004 by the Government and the Forces nouvelles, supported by the humanitarian community and partners, including the World Bank and the United Nations Development Programme (UNDP), allowed for primary-school children to have a fairly normal school year, with exams validating the previous school year. It was expected that, in 2005, some 600,000 children would attend school in the north with the support of the Government.

59. However, as a result of the November 2004 crisis, the exams scheduled for the same month were cancelled. The Minister for Education, Amani Nguessan, stated in early January 2005 that the Government would not organize end-of-year exams in the Forces nouvelles-controlled areas until disarmament, demobilization and reintegration had commenced and the country was reunified. He also cited security concerns regarding the deployment of teachers.

60. Continued advocacy efforts have been undertaken to ensure that education is supported by the Government. In late December 2004, a joint letter was addressed to President Gbagbo by the Executive Director of UNICEF and the United Nations

Emergency Relief Coordinator, requesting the President's intervention to resolve the education problem. However, there has been little progress. In that context, it is important to continue to urge the Ivorian parties to ensure that the Government performs its role in providing education.

61. In the health sector, vulnerable populations in the north and the west are still suffering because of a lack of medicines, medical equipment and professional health workers, despite tremendous efforts undertaken by medical non-governmental and other organizations. An increased prevalence of diseases such as cholera, yellow fever, meningitis, measles and poliomyelitis has been reported. The World Health Organization (WHO) and UNICEF, in cooperation with the Ministry of Health, jointly organized vaccination campaigns in 2004 to eradicate these diseases, especially poliomyelitis, and planned another five poliomyelitis vaccination campaigns for 2005.

62. In the west, humanitarian actors are also concerned with the growing needs of internally displaced persons throughout the country and their increased dependence on humanitarian assistance. At the internally displaced person transit sites, water and sanitation facilities are in short supply. There are at least 500,000 internally displaced persons in Côte d'Ivoire, more than 80 per cent of whom are living with host communities that have now depleted their reserves and no longer have the coping mechanisms to deal with this additional burden. The number of young women engaging in prostitution, especially among internally displaced persons, is rising because of the high level of unemployment and poverty. Although many internally displaced persons have indicated that they want to return to their villages, this has not been possible owing to the current political and security environment. The 28 February attack on Logouale has caused the further displacement of several thousand people in the surrounding areas.

63. Côte d'Ivoire still hosts over 70,000 refugees, primarily Liberian, who live in host communities and villages, with a number of urban refugees residing in Abidjan. Given the improvement of the security situation in Liberia, the Office of the United Nations High Commissioner for Refugees (UNHCR) expects some 36,000 Liberian refugees to choose to return home during 2005. A registration exercise for Liberian refugees in the refugee hosting areas started by UNHCR on 21 February was subsequently put on hold pending an improvement of security conditions in Côte d'Ivoire.

64. The 2005 United Nations consolidated appeal for Côte d'Ivoire was relaunched on 4 February and calls for $39 million to respond to the humanitarian needs of over 3.5 million vulnerable persons affected by the crisis. It includes the cost of the poliomyelitis vaccination campaign of 5.1 million children between the ages of birth and four years. As at 15 March, no pledges had been made. In that regard, there is an urgent need for humanitarian actors to receive much-needed financial support to allow the continuation of humanitarian activities and provide an improved response to humanitarian needs identified in 2005.

65. UNOCI has launched a programme of quick-impact projects in collaboration with non-governmental organizations, community groups and United Nations agencies. Some 62 projects costing approximately $630,000 have been approved for funding, mainly in the areas of rehabilitation of education and health facilities and other public utilities. The approved budget of $800,000 for the quick-impact projects is expected to be fully obligated before the end of the current mandate of

UNOCI and efforts are being made to seek additional donor support, both bilateral and multilateral.

Economic developments

66. Although there is little detailed economic data for 2004, reports indicate that the Ivorian deficit has continued to increase and that the real economic output for the country has continued to decline. The decline can be attributed to several factors that are inextricably linked to the Ivorian crisis, including the late start of the cocoa export season, the negative impact of the recent outbreaks of violence and decreased foreign assistance.

67. The late start of the cocoa export season is largely attributable to the general climate of insecurity nationwide. The hindrance of the movement of goods across the country caused by numerous roadblocks, reduced shipping activities and buyers offering lower prices to Ivorian cocoa producers than to producers elsewhere in the subregion, has reduced cocoa exports and also led to increased smuggling of cocoa through neighbouring countries.

68. The November 2004 crisis also had a significant impact on the economic situation within the country. The President of the National Chamber of Commerce has indicated that the violence resulted in an immediate loss of 60 million euros and that consequently 125 out of the 500 foreign-owned businesses have closed down, leaving some 30,000 people unemployed.

69. The situation is further exacerbated by the country's debt service problems. Since 15 June 2004, Côte d'Ivoire has accumulated significant arrears on its debt obligations to the World Bank and, on 1 November 2004, it fell into non-accrual status. Currently its debt service status amounts to $115 million annually. A combination of these factors will contribute to not only the continued negative economic growth projected for Côte d'Ivoire, but also increases the risk for a considerable negative impact on the subregion as a whole, should the value of the Communauté financière africaine franc decrease.

VIII. Gender

70. A Gender Unit was recently created within UNOCI to implement the principles of Security Council resolution 1325 (2000) of 31 October 2000 on gender mainstreaming in peacekeeping operations. As of March 2005, the Unit had established a gender component in the civilian staff induction training. It has also carried out liaison with the civilian police and the military training units for the inclusion of a gender component in their respective training activities and in preparation of a train-the-trainers course. The Unit has also established contacts and partnerships with United Nations agencies, non-governmental organizations and local organizations as well as with the Ivorian Ministry of Children, Women and Families.

IX. HIV/AIDS

71. Following its establishment late in 2005, the HIV/AIDS Unit has undertaken a number of activities on the prevention of HIV/AIDS within UNOCI as well as

reinforced relations with external partners. The Unit participated in induction training sessions to raise HIV/AIDS awareness among UNOCI civilian and military personnel. The HIV/AIDS Unit launched a peer educators training programme and 90 peer educators from military contingents have been trained. The Unit has also started promoting the voluntary detection of HIV within the military contingents.

72. The Unit has prepared a reference document on policy for the prevention of HIV within UNOCI. An action plan has also been developed jointly by the United Nations Population Fund and UNOCI on the prevention of sexually transmitted diseases and HIV/AIDS among peacekeepers in Côte d'Ivoire, which is to start soon.

X. Sexual exploitation and abuse

73. UNOCI has set up a working group to develop a strategy for dealing with sexual exploitation and abuse, including prevention and enforcement measures. The Mission's proposed strategy has been sent to all UNOCI staff for comments, and is being transformed into a series of actions designed to enhance UNOCI capacity to prevent and address allegations of sexual exploitation and abuse. A list of locations deemed off-limit for UNOCI staff has been established, together with a policy for the strict control of the use of official vehicles.

74. The working group is recommending a code of conduct for UNOCI staff, which will comprise the general principles of good conduct applicable to all United Nations staff and also highlight issues of particular concern in Côte d'Ivoire. The accountability of senior Mission leadership in preventing sexual exploitation and abuse will be emphasized.

75. Training sessions on sexual exploitation and abuse are mandatory for all UNOCI staff. A special training session has been organized for heads of components and all supervisors. Between September 2004 and February 2005, 32 training sessions on sexual exploitation and abuse awareness and prevention were organized by the Mission, involving 1,300 personnel from all Mission components. The sector commanders have been tasked to continue this training at the contingent level.

76. My Deputy, Louise Fréchette, following her travel to Sierra Leone and Liberia, visited Côte d'Ivoire from 4 to 6 March. Ms. Fréchette emphasized the Organization's policy of zero tolerance on sexual exploitation and abuse, and reviewed with the Mission preventive and enforcement measures.

XI. Mission support and staff security

Budget and personnel

77. The November 2004 crisis adversely affected the build-up of the Mission staffing and logistics. Until the security situation became more stable, the Mission halted all new recruitment and redeployment of staff. Several major engineering projects were also delayed and the refurbishment of the new Mission headquarters site also stopped. As a result of these developments, the overall rate of disbursement against the approved Mission budget dropped. Since the beginning of 2005,

disbursement has increased as the Mission has resumed the full range of its planned activities.

Staff security

78. The UNOCI security component, in close cooperation with the Ivorian authorities and other international security focal points in Côte d'Ivoire, has made progress in the implementation of necessary security measures to protect UNOCI personnel and property. A revised security plan has been put in place taking account of the lessons learned from the November 2004 crisis. Practice drills and associated exercises are being undertaken to fine tune the security plan. However, the lack of trained personnel and material resources has hindered the implementation of many of the assigned tasks and responsibilities and the recruitment of additional security staff remains an urgent requirement, particularly in the light of the continuing volatile security environment.

79. Currently, UNOCI facilities are at several locations in Abidjan, which poses considerable security risks because of the limited resources available to the Mission to provide static security at all locations and the inherent difficulty of coordinating security support in times of crisis at multiple facilities. The regrouping of major components in a combined Mission headquarters is therefore a matter of urgency.

XII. Observations

80. More than two years have passed since the signing of the Linas-Marcoussis Agreement on 23 January 2003. The events of November 2004 were a serious setback to the prospects for peace and further undermined the level of trust between the parties. Since then, progress in the peace process has been limited, with the deadlines to which the parties committed themselves for the implementation of the provisions of the Linas-Marcoussis and Accra III Agreements slipping increasingly behind schedule. These protracted delays are dangerous and have contributed to a deep uncertainty that continues to affect Côte d'Ivoire. Despite the laudable efforts of President Mbeki, on behalf of AU, and the positive impact of the proposals defined in the AU plan of action, the country remains effectively divided. The serious decline of the Ivorian economy continues, which increases political tensions and worsens the social conditions in the country. Human rights abuses continue both in the south and in the north, with little or no effort being made to curtail the widespread culture of impunity.

81. In the meantime, the security situation in Côte d'Ivoire remains precarious. Disarmament of ex-combatants and militias has not started. The mobilization of militia-type groups is increasing nationwide and "irregular" recruitment into FANCI continues to be reported, which further heightens tensions. I am deeply concerned by the arming of these militias, and their increasingly dangerous activities, including in Abidjan. These groups, as demonstrated in the recent incidents in and around the zone of confidence, in which UNOCI and the Licorne force had to intervene, may provoke a major confrontation. I call upon the Ivorian parties and in particular those controlling the militia groups to exercise maximum restraint and to refrain from resorting to violence, as a means of advancing their political aims. The armed militias must be reined in and their leaders, as well as those behind them, must be held accountable, including for their attacks against the civilian population

and peacekeepers. There is a very real danger that events may spin out of control with incalculable consequences for the people of Côte d'Ivoire and the subregion as a whole.

82. The international community fully supports the mediation efforts of President Mbeki and the important proposals contained in the AU plan of action. Regrettably, key provisions of the plan remain unimplemented. Therefore, I renew my appeal to President Gbagbo, the Forces nouvelles and the leaders of all Ivorian political movements to demonstrate the necessary political will and carry out this plan of action without further delay. Failure to do so increases the possibility of renewed hostilities. As we search for solutions to the current tenuous peace, I look forward to the further strengthening of the highly valued cooperation between the United Nations, AU and ECOWAS.

83. Côte d'Ivoire is at a critical juncture. Time is rapidly running out for the presidential and legislative elections, scheduled to be held within the next seven months, with protracted delays in their preparation and organization. The electoral supervisory body, the Independent Electoral Commission, is itself the object of a partisan debate. Should the elections be postponed for any length of time, a major crisis of confidence is likely to arise and further undermine the country's stability. Certain parties are asking for an enhanced United Nations role in the electoral process, but such requests require the agreement of all Ivorian parties. Solutions are also urgently needed on the following issues: the legislative reforms, as envisaged in the Linas-Marcoussis Agreement; the organization of elections; the adoption of the revised article 35 of the Constitution relating to the eligibility for the presidency; and the initiation of the disarmament process. These solutions should be in accordance with the letter and spirit of the Linas-Marcoussis and Accra III Agreements whose full and unconditional implementation is a matter of great urgency.

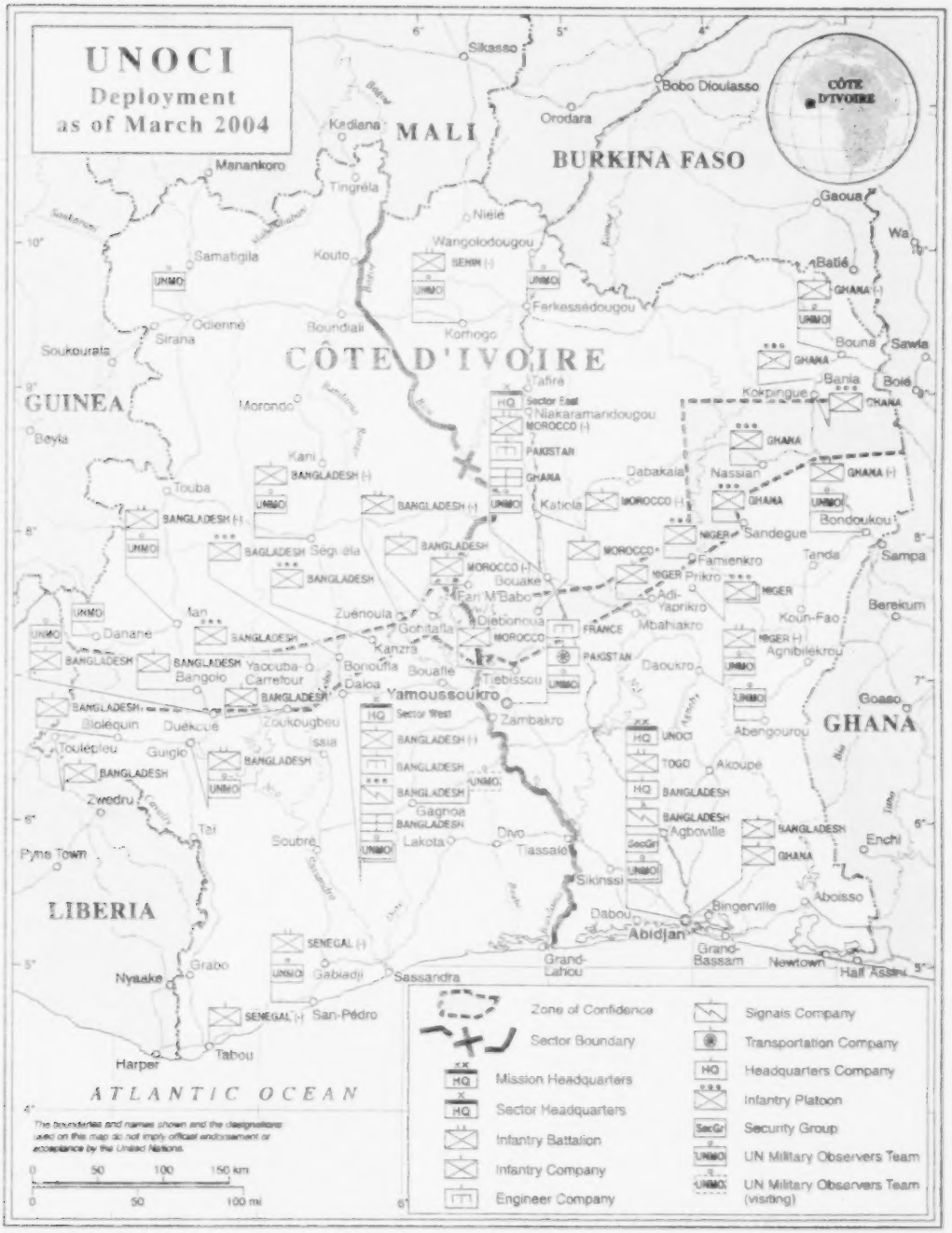
84. The UNOCI and Licorne forces will continue to provide security in support of the peace process, including the disarmament exercise and the return of State administration to the north of the country. In the meantime, the two forces will continue to respond robustly to any attempt to violate the integrity of the zone of confidence. The presence of these forces is an increasingly important deterrent to the resumption of hostilities. The cooperation and complementarity between the two forces remains an indispensable part of the efforts of the international community in this regard.

85. Nevertheless, in this highly volatile security context, the capacity of the United Nations force is severely strained with the addition of new responsibilities resulting from Security Council resolutions 1572 (2004) and 1584 (2005), as well as the redeployment of the force imposed by the events of November 2004. Therefore, I request the Council once again to approve the additional military, civilian police and civilian resources proposed in my third report on UNOCI (S/2004/962). These resources are indispensable to enable UNOCI to discharge effectively the multiple responsibilities assigned to it by the Council and to ensure the safety and security of United Nations staff. It is also most important that UNOCI be provided with the requisite technical capacity and other resources to enhance its effectiveness in monitoring the arms embargo. Meanwhile, I recommend that the mandate of UNOCI be extended for a period of 12 months until 4 April 2006.

86. In the final analysis, the international community cannot replace or substitute the political will of the Ivorian leadership and people to move the peace process forward in conformity with the agreements they freely entered into. Ultimately, the Ivorian leaders bear full responsibility for finding a way out of the crisis and making the hard decisions and visionary compromises that are urgently required. Those who fail to accept this responsibility should expect the international community to act with firmness and bring into force the individual measures envisaged in Security Council resolution 1572 (2004), which remains an important part of the international community's strategy for advancing the peace process. I urge the Council regularly to gauge the effect of resolution 1572 (2004) on the ground.

87. It would be very important that the Security Council also send a clear message that it will not tolerate any incitement to provoke or attack the UNOCI and Licorne forces. It should be recalled that these forces were deployed in Côte d'Ivoire at the request of the national authorities and in support of the peace process and not to impose a partisan solution to the crisis in Côte d'Ivoire. A lasting and just solution can only come through the Ivorian parties' genuine goodwill, mediation and reconciliation and not through violence.

88. In conclusion, I would like to commend my former Special Representative, Albert Tévoédjré, who completed his assignment at the end of January 2005, and the civilian and military staff of UNOCI for their unsparing efforts in support of the search for the restoration of durable peace in Côte d'Ivoire. Similarly, I should like to express my gratitude to the United Nations country team, humanitarian and development organizations and bilateral donors, as well as the countries that are contributing troops and police personnel to the Mission for their contribution to the peace process in these daunting and increasingly challenging circumstances. Finally, I would like to note with appreciation the steadfast efforts of the African Union — in particular through President Thabo Mbeki of South Africa — as well as those of ECOWAS, to revitalize the Ivorian peace process.


UNOCI
Deployment
as of March 2004
CÔTE D'IVOIRE
MALI
BURKINA FASO
GUINEA
LIBERIA
GHANA
ATLANTIC OCEAN
Sikasso
Bobo Dioulasso
Orodara
Kadiana
Manankoro
Tingréla
Niele
Wangolodougou
Samatigila
Kouto
Batié
Gaoua
Wa
Ferkessédougou
Odienné
Sirana
Boundiali
Korhogo
Soukourala
Bouna
Sawla
Tafiré
Kokpingue
Bania
Boké
Niakaramandougou
Morondo
Beyla
Kani
Touba
Dabakala
Nassian
Bondoukou
Katiola
Sandegue
Famienkro
Tanda
Sampa
Ségala
Bouaké
Prikro
Adi-Yaprikro
Zuénoula
Fari M'Babo
Diebonoua
Mbahiakro
Koun-Fao
Berekum
Danane
Man
Gohitafla
Kanzra
Agnibilekrou
Yaouba-Carrefour
Bangolo
Bonoufla
Bouafle
Daloa
Tiebissou
Daoukro
Yamoussoukro
Zambakro
Goaso
Biolequin
Duékoué
Zoukougbeu
Abengourou
Toulepleu
Guiglo
Issia
Akoupé
Zwedru
Gagnoa
Agboville
Enchi
Tai
Soubre
Divo
Lakota
Tiassalé
Pyne Town
Sikinssi
Aboisso
Bingerville
Dabou
Abidjan
Grand-Bassam
Newtown
Half Assini
Grand-Lahou
Sassandra
Gabiadji
Nyaake
Grabo
San-Pédro
Harper
Tabou
Zone of Confidence
Sector Boundary
Mission Headquarters
Sector Headquarters
Infantry Battalion
Infantry Company
Engineer Company
Signals Company
Transportation Company
Headquarters Company
Infantry Platoon
Security Group
UN Military Observers Team
UN Military Observers Team (visiting)
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
0 50 100 150 km
0 50 100 mi
Map No. 4220 Rev.3 UNITED NATIONS
March 2004
Department of Peacekeeping Operations
Cartographic Section